

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION

KYMBERLY HOBBS,)	
ADMINISTRATOR OF THE ESTATE)	
OF CHARLES JAMES GIVENS,)	
DECEASED,)	
)	
Plaintiff,)	Case No. 1:23cv00003
)	
v.)	
)	
ANTHONY RAYMOND KELLY, et al.,)	
)	
Defendants.)	

DEFENDANT OBSORNE'S WITNESS AND EXHIBIT LIST

Pursuant to the Court's order and Fed. R. Civ. P. 26(a)(3), Samuel Osborne makes the following disclosure of witnesses and exhibits:

I WITNESSES EXPECTED TO BE CALLED

1. Joshua Jackson
2. Anthony Kelly
3. Gregory Plummer
4. William Montgomery
5. Samuel Osborne
6. Erik Christensen, M.D.
2081 Logan Avenue
Salt Lake City, Utah 84108
7. Mark Sochor, M.D.
Department of Emergency Medicine
University of Virginia Health System
P.O. Box 800699
Charlottesville, VA 22908

II WITNESSES WHO MAY BE CALLED IF THE NEED ARISES

1. John Nettles
Marion Correctional Treatment Center
110 Wright Street
Marion, VA 24354
2. Joe Samaniego
Marion Correctional Treatment Center
110 Wright Street
Marion, VA 24354
3. Captain Tony Russell
Marion Correctional Treatment Center
110 Wright Street
Marion, VA 24354
4. Nurse Lori Pauley
Marion Correctional Treatment Center
110 Wright Street
Marion, VA 24354
5. Captain Travis Poston
Marion Correctional Treatment Center
110 Wright Street
Marion, VA 24354
6. Warden Jeffery Artrip
Marion Correctional Treatment Center
110 Wright Street
Marion, VA 24354
7. Brian Harrington
Marion Correctional Treatment Center
110 Wright Street
Marion, VA 24354
8. Dr. Anne Horst
Marion Correctional Treatment Center
110 Wright Street
Marion, VA 24354
9. Nurse Tammy Jones
Marion Correctional Treatment Center

110 Wright Street
Marion, VA 24354

10. Nurse Casey Hash
Marion Correctional Treatment Center
110 Wright Street
Marion, VA 24354
 11. Nurse Kimberly Hale
Marion Correctional Treatment Center
110 Wright Street
Marion, VA 24354
 12. Carl Cox
Marion Correctional Treatment Center
110 Wright Street
Marion, VA 24354
 13. Any witnesses identified or subpoenaed by the plaintiff.
 14. Any witnesses necessary to authenticate exhibits.
 15. Any witness necessary for impeachment.
- III EXHIBITS EXPECTED TO BE INTRODUCED
1. Marion Correctional Treatment Center's records regarding Givens including:
 - a. Rounding charts from February 5, 2022 (VDOC 002639-002642)
 - b. Email between Cynthia Lester and Corena Mcghee dated February 5, 2021 (MCTC000302)
 - c. Officer's Log Sheet dated March 12, 2021 (2VDOC000401)
 - d. Email from Tammy Jones to Jeffrey Artrip dated December 8th, 2021 (VDOC06153)
 - e. Email from Jennifer Thompson dated December 15th, 2021 regarding infirmary request for Inmate Givens (MCTC-000338)
 - f. Virginia Department of Corrections' Facility Bed History from

04/26/2011 to 02/05/2022 (2VDOC001891-1897)

- g. Marion Correctional Treatment Center Daily Report dated April 21, 2019 (E-VDOC00024126-00024132)
- h. Marion Correctional Treatment Center Daily Report dated October 1st, 2019 (MCTC000097-000104)
- i. Marion Correctional Treatment Center Daily Report dated November 17th, 2019 (E-VDOC00023910-00023916)
- j. Marion Correctional Treatment Center Daily Report dated December 5th, 2019 (E-VDOC00023900-00023907)
- k. Marion Correctional Treatment Center Daily Report dated January 11th, 2020 (E-VDOC00023883-00023889)
- l. Marion Correctional Treatment Center Daily Report dated February 12th, 2020 (E-VDOC00023842-00023861)
- m. MCTC Sick Call – Daily Flowsheet dated December 9th, 2021 (MCTC000311 – produced in native format)
- n. Email chain between Dr. Horst, Nurse Lester and FNP Jones dated December 9th, 2021 (MCTC000399-401)
- o. Continuum of Care Request incorrectly dated December 9th, 2020 (MCTC000369-000370)
- p. Email from Jennifer Thompson dated December 17th, 2021 (MCTC000368)

2. Givens's medical records including:

- a. Medication Administration Records for January and February 2022 from Marion Correctional Treatment Center (3 VDOC000009-000037)
- b. Smyth County Community Hospital's records from December 1-8, 2021 (MKJP00417-00948)
- c. DNR dated 12/02/2021 (VDOC005836)
- d. Marion Correctional's Progress Note dated June 17, 2014

(HOBBS003885)

- e. Marion Correctional's Progress Note dated December 12, 2015 (VDOC007410)
- f. Marion Correctional's Progress Note dated December 16, 2015 (VDOC007409)
- g. Smyth County Community Hospital's ER Records dated December 17, 2015 (HOBBS006358-006360)
- h. Smyth County Community Hospital's Discharge Summary dated December 17, 2015 (HOBBS006329-006331)
- i. Marion Correctional's Progress Note dated August 31, 2017 (VDOC004097)
- j. Marion Correctional's QMC Consultation Request dated September 5, 2017 (VDOC004055)
- k. Marion Correctional's Consultation Report dated June 8, 2018 (HOBBS000376)
- l. Marion Correctional's Progress Note dated August 29, 2018 and October 1, 2018 (VDOC004981-004892)
- m. Marion Correctional's Nursing Evaluation Tool dated October 3, 2018 (VDOC004748)
- n. Marion Correctional's Progress Note dated October 4, 2018 (VDOC004890)
- o. Marion Correctional's Progress Note dated October 26, 2018 (VDOC004885)
- p. Marion Correctional's Progress Note dated November 10, 2018 (VDOC004747)
- q. Marion Correctional's Progress Note dated November 13, 2018 (VDOC004781)
- r. Marion Correctional's Progress Note dated December 3, 2018 (VDOC004882)

- s. Marion Correctional's Progress Note dated January 2nd, 2019 (VDOC004724)
- t. Marion Correctional's Progress Note dated April 27, 2020 (VDOC006135)
- u. Marion Correctional's Progress Note dated October 6, 2020 (VDOC005745)
- v. Marion Correctional's Progress Note dated November 18, 2020 (VDOC005292)
- w. Marion Correctional's Fall Risk Assessments from August 5, 2017 to November 18, 2020 (VDOC005965-005968)
- x. Marion Correctional's Progress Note dated February 4, 2021 (VDOC005797)
- y. Smyth County Community's Discharge Summary dated February 8th, 2021 (MCTC000246-000253)
- z. Marion Correctional's Progress Note dated May 15, 2021 (VDOC005775)
- aa. Marion Correctional's Progress Note dated May 19, 2021 (VDOC006213)
- bb. Marion Correctional's Nursing Evaluation Tool dated June 7, 2021 (VDOC006132)
- cc. Marion Correctional's Progress Note dated June 9, 2021 (VDOC006178)
- dd. Smyth County Community's ER Record dated June 17, 2021 (HOBSS000981-000984)
- ee. Marion Correctional's Progress Note dated June 21, 2021 (VDOC006174)
- ff. Marion Correctional's Progress Note dated June 28, 2021 (VDOC006129)
- gg. Marion Correctional's Mental Health Services Progress Note dated June 28, 2021 (VDOC006207)

- hh. Marion Correctional's Interdisciplinary Team Reassessment dated June 28, 2021 (VDOC005926-005927)
- ii. Marion Correctional's Annual Psychology Re-Assessment dated July 12, 2021 (VDOC005861-005862)
- jj. Marion Correctional's Objectives and Intervention Plans dated October 2, 2021 (VDOC005909)
- kk. Marion Correctional's Progress Note dated October 26, 2021 (VDOC006121)
- ll. Marion Correctional's Progress Note dated November 8, 2021 (VDOC006158)
- mm. Marion Correctional's Progress Note dated November 17, 2021 (VDOC006191)
- nn. Marion Correctional's Mental Health Monitoring Report dated November 29th, 2021 (VDOC005949)
- oo. Smyth County Acute Physical Therapy Evaluation dated December 6th, 2021 (MCTC000204-000207)
- pp. Smyth County Community's Discharge Instructions dated December 8, 2021 (MCTC00342-00344)
- qq. Marion Correctional's Health Services Complaint and Treatment Form dated December 8, 2021 (VDOC006154)
- rr. Marion Correctional's Health Services Complaint and Treatment Form undated (VDOC006157)
- ss. Marion Correctional's Annual Psychosocial Reassessment dated December 17, 2021 (VDOC005875-005876)
- tt. Marion Correctional's Interdisciplinary Team Reassessment dated December 27th, 2021 (VDOC005919)
- uu. Marion Correctional's Progress Note dated January 3rd, 2022 (VDOC006116)
- vv. Marion Correctional's Progress Note dated January 6th, 2022

(VDOC006115)

ww. Marion Correctional's Progress Note dated January 12th, 2022
(VDOC006113)

xx. Marion Correctional's Progress Note dated January 25th, 2022
(VDOC006110-006111)

yy. Radiology Report from Smyth County Community Hospital
dated 06/07/2021 (HOBBS000917)

zz. History and Physical dated 07/18/2009 and Discharge
Summary dated 07/29/2009 from Northeast Alabama Regional
Medical Center (VDOC007148-7152)

3. Video recordings and pictures of Marion Correctional Treatment
Center including:

a. Marion Correctional's February 5 surveillance videos (Rapid
Eye) or portions thereof (MCTC254, MCTC255, MCTC256,
MCTC257)

b. Pictures of 2B and shower room (DSC_3379-3389, DSC_3391-
3393, DSC_3396, DSC_3399, DSC_3400, DSC_3405,
DSC_3410, DSC_3411, DSC_3415, DSC_3432, DSC_3446-
3447, DSC_3452-3459, DSC_3470, DSC_3484-3485)

c. Marion Correctional's Diagram of 2B (HOBBS004742)

4. Video recordings from Virginia Department of Corrections
including:

a. Interviews with West taken on February 27, 2023 and May 8,
2023 (Hobbs production on 08/16/2023)

5. Grand jury transcript of Ronald West's testimony dated August 23rd,
2022

6. Dr. Christensen's curriculum vitae

7. Dr. Sochor's curriculum vitae

8. Affidavit in Support of Petition for Order for Involuntary Admission
dated May 21, 2014 and Order for Involuntary Admission dated May

23, 2014 (2VDOC000593-597)

9. Lee Circuit Court Online Sentencing for First Degree Murder and Use of Firearm in Felony First Offense dated April 5, 2011 (Exhibit 3 to Poston's Memorandum in Support of Motion for Summary Judgment)
10. Lee County Circuit Court Sentencing Order for First Degree Murder and Use of Firearm to Commit Felony entered April 9, 2011 (Recorded in Order Book 110 Pages 1147-1148)
11. Kymberly Hobbs's letter to the Court for sentencing dated April 4, 2011 (HOBBS008609-8611)

IV EXHIBITS THAT MAY BE INTRODUCED IF THE NEED ARISES

1. Audio recordings from Virginia Department of Corrections including:
 - a. Phone call between West and Stanley (MKJP01505)
 - b. Phone call between Catron and Debbie Douglas (VDOC Production dated 02/06/2024, 164407835_133_13_69_95.wav)
2. Autopsy Report, Report of Investigation, Certificate of Analysis and Pictures from Autopsy (SIU000841-849, SIU000562-601);
3. Dr. Christensen's report and reference materials;
4. Dr. Sochor's report and reference materials;
5. Other documents produced in discovery;
6. Any exhibits identified by plaintiff, not objected to;
7. Pleadings;
8. Documents to be used for impeachment; and
9. Summaries of records charts, timelines, demonstrative aids.

SAMUEL OSBORNE
By Counsel

/s/Jeremy B. O'Quinn/s/

Jeremy B. O'Quinn

VSB # 78891

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CERTIFICATE OF SERVICE

I hereby certify that on March 10, 2025, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to counsel of record for all parties.

/s/ Jeremy B. O'Quinn/s/
Jeremy B. O'Quinn